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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,245	06/23/2003	Len Chan	5306P098	1154

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD  
SEVENTH FLOOR  
LOS ANGELES, CA 90025-1030

EXAMINER

MOONEYHAM, JANICE A

ART UNIT PAPER NUMBER

3629

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/602,245

Applicant(s)

CHAN ET AL.

Examiner

Janice A. Mooneyham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-9,11-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-9, 11-17, and 19-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This is in response to the applicant's communication filed on October 27, 2005, wherein:

Claims 1, 3-9, 11-17, 19-24 are currently pending;

Claims 1, 9, and 17 have been amended.

#### ***Response to Amendment***

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, 3-9, 11-17, and 19-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claims 1, 9 and 17, the applicant added the language "each criterion corresponding to one or more of the pricing rules." A summary of the invention states that a "price for the requested function space is determined based upon the set of pricing rules and one or more of the criterion".

Furthermore, the applicant amended claims 1, 9 and 17 to include the language of canceled claims 2, 10 and 18. However, in the original claim language of claims 2, 9,

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and 17, the applicant's claim language read "wherein the plurality of criteria includes criteria selected from a group of criteria consisting of date, day-part, current demand and supplementary sales". Applicant now amends the language to read "the set of pricing rules including pricing rules pertaining to date, day-part, current demand, or supplementary sales" and "each criterion corresponding to one or more of the pricing rules".

Applicant was requested to point to where the claimed limitations are in the specification. The applicant directed the Examiner to paragraph [43]. Paragraph [43] discloses the following:

[0043] However, it is often the case that a reservation management system does not have the liberty to establish a reservation based upon category space. This is because customers may request specific space for any number of reasons(e.g., requesting the ballroom with the ocean view). This becomes an additional source for generating revenue, as customers are typically willing to pay more for such specific requests. The function space reservation management system in one embodiment maintains the flexibility to allocate specific space when requested and category space otherwise.

The applicant has now amended claims 1, 9 and 17 to read *upon determining that the requested function space satisfying the one or more of the plurality of criteria is available, determining a price for the requested function space based upon the set of pricing rules and one or more plurality of criteria*. Applicant is requested to direct the Examiner as to where the claimed limitations are in the specification.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-9, 11-17, 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Bingham et al (US 2002/0069094) (hereinafter referred to as Bingham).

Referring to Claims 1, 9, and 17:

Bingham discloses a method, a machine readable medium for providing instructions which cause the processor to perform the method (page 3 [0025]), and a system (Figs. 1, 2a, 2b, 3) for performing the method comprising:

receiving a request ([0008] ***a reservation request is received from a user***) for a function space (***resources for meetings***) at a digital processing system (***Internet based system***), the digital processing system containing an availability information for one or more function spaces at a plurality of remote properties (***multiple meeting facility resources***) and a set of pricing rules for one or more function spaces (Examiner interprets this as rules for determining the price of the space), the set of pricing rules pertaining to supplementary sales (*as defined by applicant in the specification in paragraph [49]* For example, the price at which a ballroom for a particular event is rented may be determined by consideration of many factors,

*including the profit on supplementary sales, such as food and beverages served at the event, and the number of guest rooms rented in conjunction with the*

**Event – Binham discloses received meeting facility criteria including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources [0029] and a price for the defined meeting package is generated based upon the retrieved customer profile (block 516) [033], the request including a plurality of criteria, ([0008] the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and [0029] meeting facility criteria are received (block 404) from the user via a graphical interface), [0030] a customer profile, a reservation rule, a reservation quota, and meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the retrieved reservation rule [0033] a price for the defined meeting package is generated based upon the retrieved customer profile. In one embodiment, customer profile includes a customer type designation such as corporate or government which entitles the designated customer to reduced prices for hotel guest room and other services (pricing rule corresponding to a criterion) [0038] a meeting facility employee may adjust room pricing values such as the corporate room rate and resource availability such as the number or booked or available meeting rooms Fig. 4 (404), (410);**

determining an availability of the requested function space based upon the availability information and one or more of the criterion (**Fig. 5 (512) Are the Specified Meeting Facility Resources Available for Reservation?, page 1 [0008], page 4 [0033]**); and

upon determining that a requested function space satisfying the one or more plurality of criteria are available, determining a price for the requested function space based upon the set of pricing rules and one or more plurality of criterion (**[0033] If sufficient meeting facility resources are available to cover those desired by the user as described in the meeting facility criteria then a meeting package definition is generated using the specified meeting facility resources (block 514), a price for the defined meeting package is generated based upon the retrieved customer profile (block 516); Figure 11 Reserve room for more than 7 nights and get 10% off; Fig. 5 (516) Price the Meeting Package Based on the Customer Profile; [0008] the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory data, or facility reservation rules**).

Referring to Claims 3, 11, and 19:

Bingham discloses a method, medium and system wherein the plurality of remote properties are individual hotels of a hotel chain (Figs. 11-12).

Referring to Claims 4, 12 and 20:

Bingham discloses a method, medium and system further comprising providing the price for the requested function space to a user in real-time (page 1 [0008] – a

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customer profile associated with the user may be used to determine the *price* of the meeting package or its component resources. The meeting package may be defined or reserved based on various meeting facility criteria input by the user, *real time* facility inventory data, or facility reservation rules. Fig. 5 [516], page 4 [0033], page 5 [0038].

Referring to Claims 5, 13 and 21:

Bingham discloses method, medium and system further comprising:  
receiving an acceptance of the price for the requested function space from the user; and  
establishing a reservation for the requested function space (Fig. 4 (416), Fig. 5 (516), Fig. 12 (confirmation number, grand total), page 5 [[0037]]).

Referring to Claims 6, 14 and 22:

Bingham discloses a method, medium and system further comprising receiving a rejection of the price for the requested function space from the user; and  
providing alternatives to one or more of the plurality of criteria in real-time (Figs. 4-5, Fig. 11  
alternatives are presented with differing prices)

Referring to Claims 7, 15 and 23:

Bingham discloses a method, medium and system wherein establishing a reservation for the requested function space includes allocating a function space of a specified category, the category specified by one or more category related criteria included in the plurality of criteria of the request (Figs. 4-5, page 1 [0008]).

Referring to 8, 16 and 24:

Bingham discloses a method, medium and system wherein the category related criteria include one or more criterion selected from the group consisting of attendance (Fig. 7 (706), event type (customer type Fig. 4) (page 4 [0033]), setup styles (Fig. 9 (906) (Setup Classroom) and area (Fig. 7 (708) (Figs 7-14).

### ***Response to Arguments***

Applicant's arguments filed October 27, 2005 have been fully considered but they are not persuasive.

The applicant argues that Bingham does not disclose upon determining that the requested function space satisfying the one or more plurality of criteria is available, determining a price for the requested function space based upon the set of pricing rules and one or more of the plurality of criteria. The Examiner respectfully disagrees.

Bingham discloses ***[0033] If sufficient meeting facility resources are available to cover those desired by the user as described in the meeting facility criteria then a meeting package definition is generated using the specified meeting facility resources (block 514), a price for the defined meeting package is generated based upon the retrieved customer profile (block 516).***

The applicant argues on page 8 of the Remarks that in one embodiment, based on the user criteria (e.g. the number of people in attendance, the availability is determined. Then, if the user criteria indicates that people using the function space will be drinking alcohol, a first, lower price is given. Bingham discloses in ***Figure 11***

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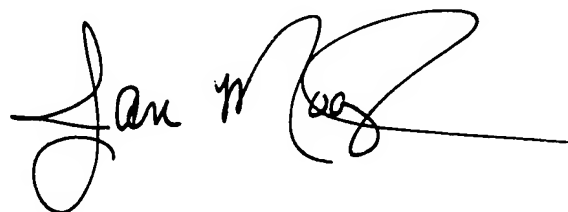
***Reserve room for more than 7 nights and get 10% off and in Figure 5 (516) Price the Meeting Package Based on the Customer Profile.***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (571) 272-6805. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Jan Mooneyham", with a stylized flourish extending to the right.

Jan Mooneyham  
Patent Examiner  
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